

# WARREN HOPE DAWSON & ASSOCIATES

Attorneys at Law

WARREN HOPE DAWSON

December 28, 2011

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**Certified Mail Return**

**Receipt Requested:**

**7003 2260 0000 0646 7616**

The School District of Polk County  
1915 South Floral Avenue  
Bartow, FL 33830

**Certified Mail Return**

**Receipt Requested:**

**7003 2260 0000 0646 7180**

Department of Financial Services  
Division of Risk Management  
Bureau of State Liability Claims  
200 East Gaines Street  
Tallahassee, FL 32399-0338

**Re: Claimant : Devarus Robinson**  
**Claimant's D.O.B : November 13, 1992**  
**Place of Birth : Lakeland, Florida**  
**Claimant SSN : [REDACTED]**  
**Date of Incident : September 23, 2011**

Dear School Board Official:

*There are some person-to-person insults that are especially egregious and totally unacceptable. By example, such an insult, in the football game context, comes to mind when one player hits another with all the strength he can muster - and there is no foul, no penalty and no insult. In that same game, one player spits in the face of another, and it is regarded as so flagrant and so egregious that the spitter is put out of the game and may even be suspended from one or more future games.*

*I am advised that such a flagrant and egregious insult (and battery) was committed by Irving Strickland, the football coach at Kathleen Senior High School, in Lakeland, Florida, upon the person of Devarus Robinson, a male student and varsity football player at that school. This happened on Friday, September 23, 2011, on the campus at Kathleen. It is said that Mr. Strickland deliberately grabbed and strenuously twisted a nipple (mammary papilla) on Devarus' chest. This conduct of the Coach, if true, was painful, insulting, degrading, criminal and completely unacceptable.*

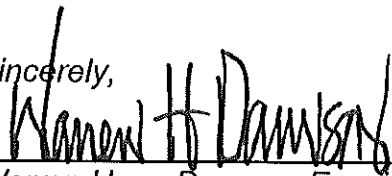
*Devarus and his Guardian have consulted my law office regarding the above mentioned incident. In this regard, they advise that a complaint regarding this gross misconduct by the Coach was promptly reported as early as Monday, September 26, 2011, and at other times during the subsequent weeks to: Dr. Sherrie Nickel,*

Superintendent and to the following persons at the Kathleen School: Mr. Cecil McCellen, Jr., the Principal; and Mr. Gary Lineburger, the Athletic Director. The matter was also reported to the Florida High School Athletic Association ("FHSAA"). In response to his complaint, Devarus and his Guardian were promised that this matter would be thoroughly investigated and appropriate action, including disciplinary action, would be taken. **Pursuant to Florida Statutes § 119, a Public Record Request is hereby made to the School Board to promptly furnish to the undersigned a copy of any and all written investigative or other reports; correspondence; notes; memos; emails; disciplinary decisions, or other papers of every kind that relate in any way to the above described complaint/incident.**

This letter is also being written to satisfy the **Notice requirements of Florida Statutes § 768.28**, regarding our intention to pursue a claim on behalf of Devarus Robinson against the School District of Polk County. Please be further advised that the above named Claimant has no prior adjudicated unpaid claims to any governmental entities in excess of \$200.00.

Please govern yourself accordingly.

Sincerely,

  
Warren Hope Dawson, Esquire

WHD/tmj  
CC: Devarus Robinson